

**COPY**

Attorney Docket No.: 5454-00700  
DLP029

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**OPTICAL FILTER EMPLOYING HOLOGRAPHIC OPTICAL ELEMENTS AND IMAGE GENERATING SYSTEM INCORPORATING THE OPTICAL FILTER,**" the specification of which:

☒ is attached hereto.  
☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate listed below, or under § 365(a) of any PCT international application listed below designating least one country other than the United States of America, and have identified below any foreign application for patent or inventor's certificate, or of any PCT international application, having a filing date before that of the application on which priority is claimed.

<u>Prior Foreign Application No.</u>	<u>Country</u>	<u>Filing Date</u> (mm/dd/yy)	<u>Priority</u> <u>Claimed</u>	<u>Cert. copy</u> <u>Attached</u>
N/A				

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Provisional Application No.</u>	<u>Filing Date</u> (mm/dd/yy)
60/115,063	1/7/99

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below, or under § 365(c) of any PCT international application listed below designating the United States of America, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Parent Application No.</u>	<u>Filing Date</u> (mm/dd/yy)	<u>Parent Patent No. (if applicable) or Status</u>
N/A		

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I hereby revoke any previous Powers of Attorney and appoint each of

Mark L. Berrier	Reg. No. 35,066
Dan R. Christen	Reg. No. 39,943
Gentry E. Crook	Reg. No. 44,633
Kevin L. Daffer	Reg. No. 34,146
Mark R. DeLuca	Reg. No. 44,649
Jeffrey C. Hood	Reg. No. 35,198
Louis H. Iselin	Reg. No. 42,684
Robert C. Jahnke	Reg. No. 44,800
B. Noël Kivlin	Reg. No. 33,929
Christopher P. Kosh	Reg. No. 42,760
Robert C. Kowert	Reg. No. 39,255
Lawrence J. Merkel	Reg. No. 41,191
Eric B. Meyertons	Reg. No. 34,876
Louise K. Miller	Reg. No. 36,609
David W. Quimby	Reg. No. 39,338
Eric A. Stephenson	Reg. No. 38,321
Larry D. Thompson	Reg. No. 43,952
David A. Rose	Reg. No. 26,223

*each of said attorneys or agents being members or associates of the firm of Conley, Rose & Tayon, P.C., as attorney or agent for so long as they remain with such company or firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Letters Patent.*

Please direct all communications to:

Eric A. Stephenson  
Conley, Rose & Tayon, P.C.  
P.O. Box 398  
Austin, Texas 78767-0398  
Phone: (512) 476-1400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Milan M. Popovich  
Inventor's Signature: *M Milan Popovich* Date: 24/12/99  
City and State (or Foreign Country) of Residence: Leicester, England Citizenship: British  
Post Office and Residence Address: 53 Westfield Road; Leicester, England LE3 6HU  
(Include number, street name, city, state and zip code)

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Inventor's Full Name: C. David Nabors

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

City and State (or Foreign Country) of Residence: Sunnyvale, California USA Citizenship: U.S.A.

Post Office and Residence Address: 849 Corvallis Drive; Sunnyvale, California 94087  
(Include number, street name, city, state and zip code)

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<u>Prior Foreign Application No.</u>	<u>Country</u>	<u>Filing Date</u> (mm/dd/yy)	<u>Priority</u> <u>Claimed</u>	<u>Cert. copy</u> <u>Attached</u>
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Austin, Texas 78767-0398  
Phone: (512) 476-1400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Milan M. Popovich

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

City and State (or Foreign Country) of Residence: Leicester, England Citizenship: British

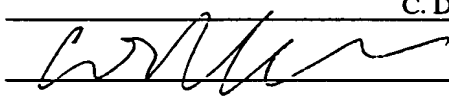
Post Office and Residence Address: 53 Westfield Road; Leicester, England LE3 6HU  
(Include number, street name, city, state and zip code)

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Attorney Docket No.: 5454-00700  
DLP029

Inventor's Full Name: C. David Nabors

Inventor's Signature:  Date: 23 Dec 99

City and State (or Foreign Country) of Residence: Sunnyvale, California USA Citizenship: U.S.A.

Post Office and Residence Address: 849 Corvallis Drive; Sunnyvale, California 94087  
(Include number, street name, city, state and zip code)

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Milan M. Popovich and C. David Nabors  
Assignee: DigiLens, Inc.  
Title: OPTICAL FILTER EMPLOYING HOLOGRAPHIC OPTICAL  
ELEMENTS AND IMAGE GENERATING SYSTEM  
INCORPORATION THE OPTICAL FILTER  
Parent Serial No.: 09/478,150 Parent Filing Date: January 5, 2000  
Prior Examiner: Darren Schuberg Parent Group Art Unit: 2872  
Attorney Docket No.: DGL0029C1US Parent Confirmation No.: 1305

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Austin, Texas  
September 23, 2003

Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**ASSERTION OF SMALL ENTITY STATUS**

Dear Sir:

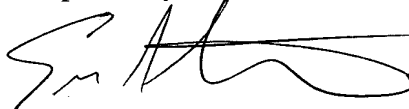
Applicant(s) is a small entity and asserts small entity status pursuant to  
37 C.F.R. 1.27.

EXPRESS MAIL LABEL NO.:

EL 304 737 443 US

**September 23, 2003**

Respectfully submitted,



Eric A. Stephenson

Attorney for Applicant(s)

Reg. No. 38,321

Telephone: (512) 439-5093

Facsimile: (512) 439-5099